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IA P10 Rec'd PCT/PTO 22 NOV 2005  
10/524937

Docket No.: 05432/100L890-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Naoki Taoka et al.

Application No.: 10/524,937

Confirmation No.: 1883

Filed: February 14, 2005

Art Unit: N/A

For: METHOD FOR THE SEPARATION OF  
INTERMEDIATES WHICH MAY BE USED  
FOR THE PREPARATION OF  
ESCITALOPRAM

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

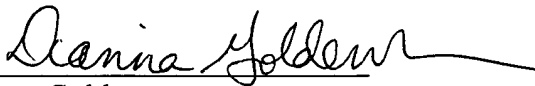
Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed August 25, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Preliminary Amendment, and a copy of the Notice.

Our check in the amount of \$5,130.00 covering the additional claim fees and late declaration surcharge is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: November 22, 2005

Respectfully submitted,

By 

Dianna Goldenson

Registration No.: 52,949

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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|                             |                       |                   |
|-----------------------------|-----------------------|-------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO.  |
| 10/524,937                  | Naoki Taoka           | 05432/100L890-US1 |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
| PCT/DK03/00537                |

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 08/12/2003       | 08/12/2002    |

7278  
 DARBY & DARBY P.C.  
 P. O. BOX 5257  
 NEW YORK, NY 10150-5257

**CONFIRMATION NO. 1883**  
**371 FORMALITIES LETTER**  
**\*OC000000016840263\***  
 \*OC000000016840263\*

Date Mailed: 08/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/14/2005
- Copy of the International Search Report filed on 02/14/2005
- Copy of IPE Report filed on 02/14/2005
- Information Disclosure Statements filed on 04/19/2005
- U.S. Basic National Fees filed on 02/14/2005
- Priority Documents filed on 02/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$4100** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$4230** for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 4100
  - \$200 for 1 independent claims over 3.
  - \$3900 for 78 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

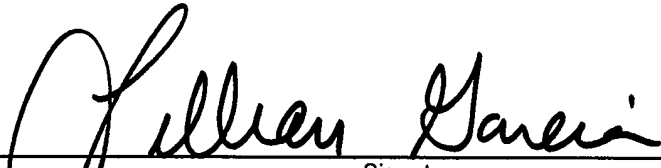
| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO.  |
|-----------------------------|-------------------------------|-------------------|
| 10/524,937                  | PCT/DK03/00537                | 05432/100L890-US1 |

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV692135325-US in an envelope addressed to:

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Alexandria, VA 22313-1450

on November 22, 2005  
Date

  
\_\_\_\_\_  
Signature  
Lillian Garcia  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

\_\_\_\_\_  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Preliminary Amendment (36 pp.)  
Amendment Transmittal (1 p.)  
Response to Notification of Missing Requirements (2 pp.)  
Copy of Notification of Missing Requirements (2 pp.)  
Oath and Declarations (18 pp.)  
Check No. 10395 for \$5,130.00  
Return Receipt Postcard

Rec'd PCT/PTO 22 NOV 2005

10/524937 #5

|                                     |                                  |                              |                                 |
|-------------------------------------|----------------------------------|------------------------------|---------------------------------|
| <b>AMENDMENT TRANSMITTAL LETTER</b> |                                  |                              | Docket No.<br>05432/100L890-US1 |
| Application No.<br>10/524,937       | Filing Date<br>February 14, 2005 | Examiner<br>Not Yet Assigned | Art Unit<br>Not Yet Assigned    |

Applicant(s): Naoki TAOCA et al.

Invention: METHOD FOR THE SEPARATION OF INTERMEDIATES WHICH MAY BE USED FOR THE PREPARATION OF ESCITALOPRAM

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |   |   |                                   |      |        |                 |
|--|---|---|-----------------------------------|------|--------|-----------------|
|  | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate |        |                 |
| Total Claims   | 108                                       | - 20 =                                  | 88                                | x    | 50.00  | 4,400.00        |
| Independent<br>Claims  | 6   | - 3 =                                   | 3                                 | x    | 200.00 | 600.00          |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |   |   |                                   |      |        |                 |
| Other fee (please specify): Late surcharge fee under 37 CFR 1.16(f)      |   |   |                                   |      |        | 130.00          |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>                          |   |   |                                   |      |        | <b>5,130.00</b> |

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 5,130.00 to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  
as described below.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

*Dianna Goldenson*

Dianna Goldenson

Attorney Reg. No.: 52,949

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Repln. Ref: 02/06/2006 CBURT1 0015041000  
DCA:040100 Name/Number:10524937  
FC: 5204 \$450.00 CR

02/06/2006 CBURT1 00000004 10524937

01/10/05 Dated: November 22, 2005

11/29/2005 ATRAN1 00000096 10524937

01 FC:1615  
02 FC:1614  
03 FC:1617

4400.00 OP  
600.00 OP  
130.00 OP

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